THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO. 23230 OF 2005

DATED:28.10.2005

Between:

Ponnala Laxmi Bai

…Petitioner

And

The District Collector, Ranga Reddy District

At Khairatabad, Hyderabad and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23230 OF 2005

ORDER:

The petitioner herein gave a complaint to third respondent alleging that fourth respondent herein, who is Attender in the office of third respondent, has allegedly manipulated and tampered revenue records and he was kept in jail for four days. The petitioner requested the first respondent to take necessary action against the fourth respondent, in vain. Therefore, present Writ Petition is filed.

A reading of the representation made by the petitioner to the first respondent would show that fourth respondent was kept in jail for four days. But, nowhere it is averred that the fourth respondent is still in jail. Even according to the relevant provisions under A.P. Civil Services (Classification, Control and Appeal) Rules, 1991,

incarceration in prison for more than forty eight hours does not result in automatic suspension of a Government servant. The authority competent to do so has to apply his mind and take appropriate action. This power, however, cannot be available when a Government servant who suffered pre-trial imprisonment is released even before the competent authority takes any action. In that view of the matter, the Writ Petition is misconceived.

The Writ Petition is accordingly dismissed.

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(V.V.S.RAO, J)

28.10.2005

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